

UNITED STATES BANKRUPTCY COURT  
For the Southern District of Iowa

In the Matter of	:	Case No. 92-94-D-H
	:	
SHANE D. HEALD and	:	Chapter 7
JUANITA K. HEALD,	:	
	:	
Debtors.	:	

**ORDER--MOTION TO REOPEN CASE**

This case pends upon Debtor's Motion to Reopen Case to allow the filing of motions to set aside the discharge as to specific creditors.

Debtors filed their voluntary Chapter 7 petition on January 13, 1992. Schedules and statements were filed with the petition. Debtors were represented by counsel at all material times herein and never requested an extension of time for the filing of reaffirmation agreements.

On April 28, 1992, Debtors' discharge was entered and notice given. The final decree was entered on May 8, 1992, the Trustee was discharged, and this Chapter 7 case closed.

Debtors filed their motion to reopen the case on May 19, 1992. Debtors pray for an order reopening the case so that a motion to set aside discharge as to unidentified creditors may be filed. It is Debtors' stated purpose to file reaffirmation agreements with secured creditors.

**DISCUSSION**

11 U.S.C. § 350(b) provides as follows: "A case may be reopened in the court in which such case was closed to

administer assets, to accord relief to the debtor, or for other cause."

As relevant herein Bankruptcy Rule 5010 provides that "(a) case may be reopened on motion of the debtor or other party in interest pursuant to § 350(b) of the Code...."

Mere inattention to detail and neglect in the case does not constitute good cause to reopen the case. The reopening of a case is not favored when the sole purpose is not to correct an obvious error of law or to present newly discovered evidence. In re Furniture Distributors, Inc., 45 B.R. 38 (Bankr. D. Mass. 1984).

A Chapter 7 case should not be opened to rescind and reissue debtor's discharge for the purpose of validating reaffirmation agreements, which were not filed prior to issuance of the discharge, and the debtors had not sought an extension of time for filing of reaffirmation agreements. It is important that parties who receive notice of the entry of a discharge be able to rely upon the discharge date and determine their legal rights and obligations. In re Burgett, 95 B.R. 524 (Bankr. S.D. Ohio 1988). It is not as if Debtors are without remedy. The Bankruptcy Code does not prevent debtors from voluntarily repaying any debt. 11 U.S.C. § 524(f).

IT IS ACCORDINGLY ORDERED that Debtors' Motion to Reopen Case is denied.

Dated this 22nd day of June, 1992.

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RUSSELL J. HILL  
U.S. Bankruptcy Judge